Office of the Correctional Investigator

2015–16

Report on Plans and Priorities

The Honourable Steven Blaney, P.C., M.P.
Minister of Public Safety and Emergency Preparedness

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Correctional Investigator's Message

The mandate of the Office of the Correctional Investigator (OCI) reflects fundamental elements of Canadian democratic values and traditions in our criminal justice system. The Office is one of many oversight agencies that exist to provide independent assurance to Canadians and parliamentarians that federal services and programs are delivered in an open, transparent and accountable manner.

As an ombudsman for federally sentenced offenders, independence, impartiality and respect for human rights are the foundations of my Office's mandate. While established in 1973, the Office achieved legislative authority in 1992 with the proclamation of the *Corrections and Conditional Release Act* (*CCRA*). With this legislation, Parliament expressly acknowledged the retained rights of federally sentenced offenders. Since 1973, the Office has maintained a tradition of excellence in achieving this mandate by delivering accessible ombudsman services to the federal offender population, through receiving and resolving individual complaints, conducting systemic investigations into broader issues and, pursuant to the *CCRA*, reviewing cases involving serious bodily injury or deaths in custody, as well as reviewing use of force incidents. The work performed by investigative staff and their ongoing dedication to ensure legal and policy compliance and fair decision-making, is rooted in the principle that offenders, like every other Canadian, must be treated fairly and in accordance with the rule of law.

For the past several years, the Office has consolidated and reported on its corporate priorities in six areas: access to health care; prevention of deaths in custody; conditions of confinement; Aboriginal corrections; safe and timely reintegration; and, issues impacting federally sentenced women. In 2015-16, a comprehensive strategic planning and consultation exercise will be initiated to assess our priorities, confirm or renew them; identify areas of national investigative focus; and refine the Investigative Stream's overall focus for the future. Moreover, we will leverage information technology, including the new Shared Case Management Tool, to implement the updated strategic plan.

In 2014, the Office administered the Public Service Employee Survey for the first time and obtained a 97.5% participation rate. In 2015-16, as a follow-up to this survey, staff will be engaged with a view to assisting the Senior Management team address the areas that require attention and improvement.

The Clerk's Blueprint 2020 and Destination 2020 initiatives will continue to influence the organization's focus on public service excellence in the reporting period. To that end, new technologies, including correspondence and shared case management systems, will be

implemented to support delivery of our important mandate and benefit Canadians as they interact with the Office.

My organization's ongoing efforts and commitment to monitoring corporate priorities and resolving offender complaints in a timely and responsive manner will continue to contribute to the delivery of our important mandate throughout the reporting period. In addition, the commitment to the effective management of human and financial resources will underscore and support our efforts.

Howard Sapers
Correctional Investigator

Section I: Organizational Expenditure Overview

Organizational Profile

Appropriate Minister: The Honourable Steven Blaney, P.C., M.P.

Institutional Head: Mr. Howard Sapers

Ministerial Portfolio: Public Safety and Emergency Preparedness

Enabling Instrument: *Corrections and Conditional Release Act*[i]

Year of Incorporation / Commencement: 1973

Other:

The six corporate priorities consist of the following areas of focus:

- Access to health care;
- Prevention of deaths in custody;
- Conditions of confinement;
- Aboriginal corrections;
- Safe and timely reintegration; and,
- Issues impacting federally sentenced women.

Organizational priorities ("the how") are as follows:

- Investigate and resolve individual offender issues;
- Review the Correctional Service of Canada's management of mandated issues;
- Investigate, resolve and provide leadership on specifically identified systemic issues stemming from the corporate priorities; and,
- Information Management.

Organizational Context

Raison d'être

As the ombudsman for federally sentenced offenders, the Office of the Correctional Investigator (OCI) serves Canadians and contributes to safe, lawful and humane corrections through independent oversight of the Correctional Service of Canada by providing accessible, impartial and timely investigations of individual and systemic concerns. While an independent organization, the Office of the Correctional Investigator is part of the Public Safety and Emergency Preparedness Portfolio.

Responsibilities

The mandate of the OCI, as defined by the *Corrections and Conditional Release Act* (*CCRA*), is to function as an Ombudsman for federal offenders. The organization is independent of the Correctional Service of Canada (CSC) and may initiate an investigation on receipt of a complaint by or on behalf of an offender, at the request of the Minister or on its own initiative. As provided for in the *CCRA*, the Correctional Investigator reports annually through the Minister of Public Safety and Emergency Preparedness to both Houses of Parliament.

Strategic Outcome and Program Alignment Architecture

1. Strategic Outcome: The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.

1.1 Program: Ombudsman for federal offenders

Internal Services

Organizational Priorities

Organizational Priorities

Priority	Type[1]	Program
Investigate and resolve individual offender issues	Ongoing	Ombudsman for federal offenders

Description:

Why is this a priority?

S.167 of the organization's enabling legislation, the *CCRA*, states that: "*It is the function of the Correctional Investigator to conduct investigations into the problems of offenders related to decisions, recommendations, acts or omissions of the Commissioner or any person under the control and management of, or performing services for or on behalf of, the Commissioner that affect offenders either individually or as a group*".

What are the plans for meeting this priority?

Resources (current and incremental as required) will be directed to lead and conduct investigations as required; individual complaints will continue to be prioritized and responded to; and, information as well as outcomes will be documented in the OCI's case management tool.

Priority	Type[1]	Program
Review the CSC's management of mandated issues	Ongoing	Ombudsman for federal offenders

Description:

Why is this a priority?

The organization's involvement in s.19 reviews is mandated in the *CCRA*. The review and assessment of use of force incidents is in keeping with the recommendations of the *Arbour Commission of Inquiry* and best practices.

What are the plans for meeting this priority?

Indeterminate full-time equivalents (FTEs) will be committed to ensure the timely review of cases and appropriate interactions with the CSC.

Priority	Type[1]	Program
Investigate, resolve and provide leadership on specifically identified systemic issues stemming from the corporate priorities	Ongoing	Ombudsman for federal offenders

1. Type is defined as follows: previously committed to—committed to in the first or second fiscal year prior to the subject year of the report; ongoing—committed to at least three fiscal years prior to the subject year of the report; and new—newly committed to in the reporting year of the RPP or DPR.

Description:
Why is this a priority? The completion of national systemic investigations in these areas should result in a reduction in the number of individual offender complaints that the Office receives. More importantly, it should help address long-standing concerns of offenders in relation to their incarceration and safe reintegration in the community as law abiding citizens. **What are the plans for meeting this priority?** Where appropriate, the OCI will conduct reviews and systemic investigations in these areas and increase its focus on vulnerable groups, including offenders suffering from mental health issues. The OCI will review and make recommendations on the CSC's policies and procedures. It will use comparative analysis of CSC's statistics; institutional performance relating to these corporate priorities; oversight and evaluation through follow-up; and impact analysis of CSC's responses. The organization will focus its efforts and resources in these areas. The Correctional Investigator will seek opportunities for knowledge transfer including lessons learned related to these corporate priorities from other Ombudsman offices and stakeholders. This will be achieved through public engagements, information sharing and other forms of knowledge exchange.

Priority	Type[1]	Program
Information Management	Ongoing	Ombudsman for federal offenders
Description:		
Why is this a priority? It is a requirement in order to remain compliant with policy and the law. **What are the plans for meeting this priority?** A three-year IM Strategic Plan is now fully implemented. In the next phase, the systems and processes launched including the shared case management and correspondence management systems, which will facilitate IM in the organization, will be monitored throughout the reporting period. The organization has indicated to the Office of the Comptroller General that an external audit of its IM capacity would be beneficial. Such an audit may be completed in the reporting period.		

Risk Analysis

Key Risks

Risk	Risk Response Strategy	Link to Program Alignment Architecture
The Office's mandate is national in scope and the sheer number and complexity of issues require flexibility and constant re-evaluation of priorities. The client base and network of stakeholders are dispersed in a large number of	Flexibility and adaptability from staff and management is expected in order to excel in the delivery of the organization's mandate. Moreover, the OCI's terms and conditions of employment state that extensive travel (as much as	Ombudsman for federal offenders

often geographically remote locations throughout Canada.	60 working days per fiscal year) is a requirement for employees involved in the investigative process.	
The resolution of complaints in an environment traditionally closed to public scrutiny requires that the office not only be, but be seen to be independent of the CSC, Public Safety and the Minister.	Ongoing dialogue with stakeholders.	Ombudsman for federal offenders
Given that the authority of the Office rests with its power of persuasion and quality of reporting since its recommendations are non-binding, it is imperative that appropriate administrative and public mechanisms be available to ensure that reasonable, fair and timely action is taken on the findings and recommendations made by the Office. Delays in responding to these matters will result in delays in addressing the systemic areas of concern.	Canadians' awareness of the issues and recommendations raised by the OCI in its Annual and other special reports is key to ensuring a positive outcome for offenders and corrections generally.	Ombudsman for federal offenders

Maintaining an independent and objective review process within a correctional environment where the Office has no control over the number and complexity of complaints requiring investigations presents a number of unique challenges. Moreover, the Office does not foresee a decline in either the overall demand for services or in the complexity of the issues it is called upon to address. The environment in which it operates is intrinsically challenging.

Planned Expenditures

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2016–17 Planned Spending	2017–18 Planned Spending
4,655,541	4,685,541	4,651,461	4,651,461

Human Resources (Full-Time Equivalents [FTEs])

2015–16	2016–17	2017–18
36	36	36

Budgetary Planning Summary for Strategic Outcome and Program (dollars)

Strategic Outcome(s), Program(s) and Internal Services	2012–13 Expenditures	2013–14 Expenditures	2014–15 Forecast Spending	2015–16 Main Estimates	2015–16 Planned Spending	2016–17 Planned Spending	2017–18 Planned Spending
Strategic Outcome 1: The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.							
1. Ombudsman for federal offenders	3,514,836	3,592,430	3,702,788	3,682,952	3,649,475	3,630,481	3,630,481
Subtotal	3,514,836	3,592,430	3,702,788	3,682,952	3,649,475	3,630,481	3,630,481
Internal Services Subtotal	1,061,550	1,133,751	1,113,731	972,589	1,036,066	1,020,980	1,020,980
Total	4,576,386	4,726,181	4,816,519	4,655,541	4,685,541	4,651,461	4,651,461

Since 2012-13, the organization's Main Estimates and expenditures have remained stable, as will planned spending from 2015-16 to 2017-18.

Alignment of Spending With the Whole-of-Government Framework

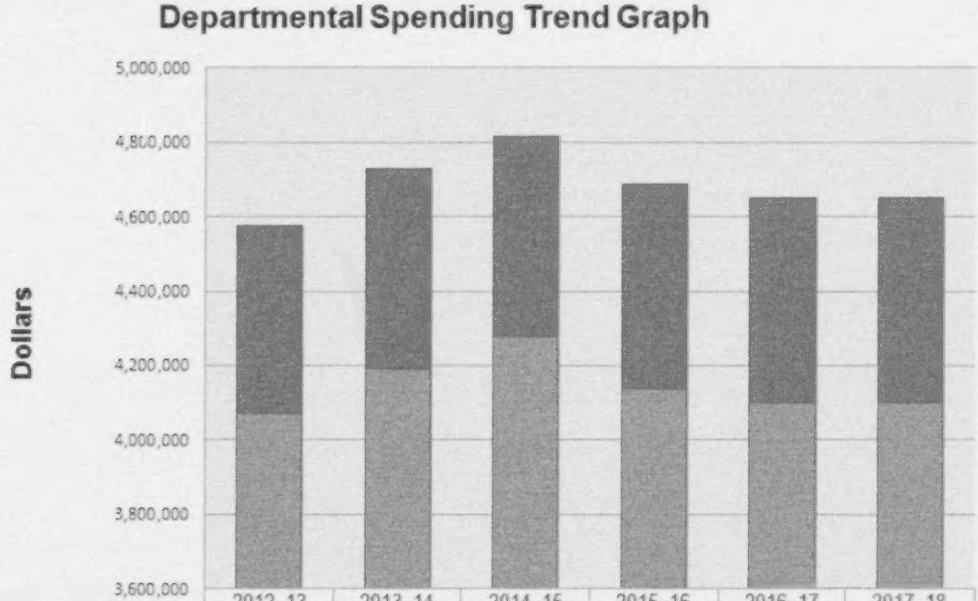
Alignment of 2015–16 Planned Spending With the Whole-of-Government Framework[ii] (dollars)

Strategic Outcome	Program	Spending Area	Government of Canada Outcome	2015–16 Planned Spending
The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.	1.1 Ombudsman for federal offenders	Social Affairs	Safe and Secure Canada	3,649,475

Total Spending by Spending Area (dollars)

Spending Area	Total Planned Spending
Economic affairs	
Social affairs	3,649,475
International affairs	
Government affairs	

Departmental Spending Trend



	2012–13	2013–14	2014–15	2015–16	2016–17	2017–18
Sunset Programs – Anticipated	0	0	0	0	0	0
Statutory	502,592	533,970	539,354	549,160	549,160	549,160
Voted	4,073,794	4,192,211	4,277,165	4,136,381	4,102,301	4,102,301

As reflected in this graph, the organization's forecast spending remains consistent until 2017-18. A large part of the OCI's spending (80%) is related to salaries and employee benefits for its 36 FTEs. The forecasted spending for 2014-15 includes funding in the amount of $182,000 towards horizontal government initiatives.

Estimates by Vote

For information on the Office of the Correctional Investigator's organizational appropriations, consult the *2015–16 Main Estimates* on the Treasury Board of Canada Secretariat website.[iii]

Section II: Analysis of Program by Strategic Outcome

Strategic Outcome:

The problems of offenders in the federal correctional system are identified and responded to in a timely fashion.

Performance Measurement

Performance Indicators	Targets	Date to Be Achieved
Percentage of recommendations from the Annual Report and systemic investigation reports issued by the OCI that are responded to by the CSC within established target dates.	100% of OCI reports are responded to by the CSC.	March 31, 2016
Following the prioritization of workload, percentage of offender complaints addressed within prescribed OCI timeframes.	90% of complaints/files are closed in the case management tool within prescribed standards.	March 31, 2016
Comparative percentage of usage by offender population of OCI services as indicated by the number of interviews and contacts by and to the Office.	1500 offender interviews and 15,000 contacts with the Office.	March 31, 2016

Program 1.1: Ombudsman for federal offenders

Description

Through this program, the Office of the Correctional Investigator conducts investigations of individual offender complaints regarding acts, omissions, decisions and recommendations of the CSC. It also has a responsibility to review and make recommendations on CSC's policies and procedures associated with the areas of individual complaints, to ensure that systemic areas of complaint are identified and appropriately addressed, and to review all s.19 investigations performed by CSC following the death of, or serious injury to, an inmate.

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2016–17 Planned Spending	2017–18 Planned Spending
3,682,952	3,649,475	3,630,481	3,630,481

Human Resources (Full-Time Equivalents [FTEs])

2015–16	2016–17	2017–18
31	31	31

Performance Measurement

Expected Results	Performance Indicators	Targets	Date to Be Achieved
To provide responsive and timely Ombudsman services to federal offenders.	Percentage of completed institutional visits.	100% completion rate as per OCI policy and service delivery standards.	March 31, 2016
To provide responsive and timely Ombudsman services to federal offenders.	Percentage of responses to individual offender complaints (closed cases) by timeframe.	90% completion rate as per OCI policy and service delivery standards.	March 31, 2016
To provide responsive and timely Ombudsman services to federal offenders.	Number of s.19 of the *CCRA* and Use of Force cases reviewed.	100% completion rate as per OCI policy and service delivery standards.	March 31, 2016

Planning Highlights

In 2015-16, the organization will launch and complete a strategic planning and consultation exercise, which will establish new corporate priorities, confirm current ones or a combination of both. This exercise will also frame the discussion around process improvement, efficiencies and leveraging informatics as a facilitator for all three, i.e., the shared cased management system (Microsoft CRM).

Internal Services

Description

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. Internal services include only those activities and resources that apply across an organization, and not those provided to a specific program. The groups of activities are Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

Budgetary Financial Resources (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2016–17 Planned Spending	2017–18 Planned Spending
972,589	1,036,066	1,020,980	1,020,980

Human Resources (FTEs)

2015–16	2016–17	2017–18
5	5	5

Planning Highlights

The organization has several memoranda of understanding (MOUs) in place with service providers for the provision of basic corporate services, such as, financial administration services, pay and compensation, contracting, staffing and other Human Resources services. These MOUs include quality control, oversight, monitoring, and performance indicators, although more work is required with regard to enforceable service standards. Over 50% of the planned spending amount will be utilized for goods and services that benefit the main Program and/or the organization as a whole, for example, consultant contracts and the MOUs. The organization's Internal Services performance is assessed by the Office of the Comptroller General and its core control and horizontal audits. An external audit by the OCG could be completed in the reporting period to ascertain the maturity level of the organization in regards to its capacity to manage information management assets.

Section III: Supplementary Information

Future-Oriented Statement of Operations

The future-oriented condensed statement of operations provides a general overview of the Office of the Correctional Investigator's operations. The forecast of financial information on expenses and revenues is prepared on an accrual accounting basis to strengthen accountability and to improve transparency and financial management.

Because the future-oriented condensed statement of operations is prepared on an accrual accounting basis, and the forecast and planned spending amounts presented in other sections of the Report on Plans and Priorities are prepared on an expenditure basis, amounts differ.

A more detailed future-oriented statement of operations and associated notes, including a reconciliation of the net cost of operations to the requested authorities, can be found on the Office of the Correctional Investigator's website.[iv]

Future-Oriented Condensed Statement of Operations
For the Year Ended March 31
(dollars)

Financial Information	2014–15 Estimated Results	2015–16 Planned Results	Difference
Total expenses	5,250,898	5,235,668	15,230
Total revenues	0	0	0
Net cost of operations	5,250,898	5,235,668	15,230

The future-oriented Condensed Statement of Operations was prepared on the basis of government priorities and departmental plans as described in this Report on Plans and Priorities. The information in the estimated results for fiscal year 2014–15 is based on actual results as at January 8th, 2014, and on forecasts for the remainder of the fiscal year. Forecasts have been made for the planned results for fiscal year 2015-16.

Supplementary Information Tables

The 2015-16 Report on Plans and Priorities does not contain any supplementary information tables.

Tax Expenditures and Evaluations

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the *Tax Expenditures and Evaluations*[v] publication. The tax measures presented in the ***Tax Expenditures and Evaluations*** publication are the responsibility of the Minister of Finance.

Section IV: Organizational Contact Information

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Appendix: Definitions

appropriation: Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures: Include operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report: Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Reports on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent: Is a measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in the terms and conditions of employment.

Government of Canada outcomes: A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure: A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures: Include net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance: What an organization did with its resources to achieve its results, how well those results compare to what the organization intended to achieve and how well lessons learned have been identified.

performance indicator: A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting: The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending: For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plans: The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities: Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program: A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program Alignment Architecture: A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities: Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

results: An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

Strategic Outcome: A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program: A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target: A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

whole-of-government framework: Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

i. *Corrections and Conditional Release Act*, http://laws.justice.gc.ca/eng/acts/C-44.6/page-61.html
ii. Whole-of-government framework, http://www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx
iii. *2015–16 Main Estimates*, http://publiservice.tbs-sct.gc.ca/ems-sgd/esp-pbc/me-bpd-eng.asp
iv Office of the Correctional Investigator, http://www.oci-bec.gc.ca/cnt/rpt/index-eng.aspx
v. *Tax Expenditures and Evaluations* publication, http://www.fin.gc.ca/purl/taxexp-eng.asp